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December 17, 2004

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Commissioner for Patents
PO Box 1450
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Art Unit 1642

Re: U.S. Utility Patent Application
Application No. 09/633,364; Filed: August 7, 2000
For: **Inducing Cellular Immune Responses to Prostate Cancer Antigens
Using Peptide and Nucleic Acid Compositions**
Inventors: **FIKES et al.**
Our Ref: 2060.0110001/HCC/VSR

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form;
2. Fee Transmittal (PTO/SB/17);
3. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Amendment and Reply Under 37 C.F.R. § 1.111;
5. Copy of the Notice to Comply;
6. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
7. Two Compact Disc, created December 10, 2004, of the written Substitute Sequence Listing formatted for IBM-PC, ASCII DOS text containing one file: Sequence Listing 2060_0110001, 998,000 bytes, file created on December 10, 2004;
8. One Compact Disc, created December 10, 2004, of computer readable form of Sequence Listing for IBM-PC, ASCII DOS text containing one

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file: Sequence Listing 2060_0110001, 998,000 bytes, file created on
December 10, 2004; and

9. Copies of the Forms PTO-1449 originally filed July 10, 2003;
10. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

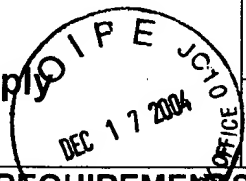
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HCC/VSR:amr
344782.1

Notice to Comply

Application No.

09/633,364

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

FIKES ET AL.

Art Unit

1642

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Please see the Office action for an explanation of the specific deficiency. If necessary to correct the deficiency, Applicant is required to submit substitute copies of the sequence listing and the statement, as indicated below.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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